

# Wetlands Bureau Decision Report

Decisions Taken  
04/21/2003 to 04/25/2003

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2002-02333                      DEVON FAMILY REALTY TRUST OF 2001**  
**ALTON   Lake Winnepesaukee**

### Requested Action:

Dredge 30 cu yd from 415 sq ft of lakebed and excavate 82 sq ft along 44 linear ft of shoreline to construct a 38 ft x 42 ft dug-in boathouse and fill 1,500 sq ft to construct 53 linear ft of breakwater with an 8 ft gap at the shore and a 4 ft x 32 ft cantilevered pier accessed by a 4 ft x 18 ft walkway on an average of 178 ft of frontage on Lake Winnepesaukee.

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Inspection Date: 04/10/2003 by Darlene Forst

### APPROVE PERMIT:

Dredge 30 cu yd from 415 sq ft of lakebed and excavate 82 sq ft along 44 linear ft of shoreline to construct a 38 ft x 42 ft dug-in boathouse and fill 1,500 sq ft to construct 53 linear ft of breakwater with an 8 ft gap at the shore and a 4 ft x 32 ft cantilevered pier accessed by a 4 ft x 18 ft walkway on an average of 178 ft of frontage on Lake Winnepesaukee.

### With Conditions:

1. All work shall be in accordance with plans by Lakeshore Construction as received by the Department on October 22, 2002.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 15 ft in height (Elev. 519.32) above normal high water (Elev. 504.32).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
13. This approval does not authorize any removal of vegetation within the shoreland buffer, as defined in RSA 483-B, outside of the impact areas defined on the approved plans.
14. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
15. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
16. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
17. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
18. The breakwater shall have an irregular face to dissipate wave energy.

19. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a major project per Rules Wt 303.02(g) and Wt 303.02(j), dredge of more than 20 cu yd and construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Wt 402.07, Breakwaters.
3. The applicant has an average of 178 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Wt 402.14, Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, Boat slip, and therefore meets Rule Wt 402.14.
6. Public hearing is waived based on field inspection, by NH DES staff, on April 10, 2003, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on April 10, 2003 found no obvious evidence of sand migration along this shoreline.
8. The proposed structure will meet the 20 height restriction requested by the Wetlands Bureau to maintain compliance with the intent of RSA 483-B, the Comprehensive Shoreland Protection Act.
9. The issuance of this permit does not preclude any local ordinances relative to structure height, setback, or design.
10. The applicant submitted documentation that there are no restrictions prohibiting the construction of a boathouse on this property on March 4, 2003 and April 15, 2003.
11. The abutter has raised concerns regarding the proximity of the proposed breakwater to the abutters docking facility and the potential for boating accidents while attempting to navigate between the two structures during period of rough weather.
12. The proposed structure will meet the 20 ft setback to property lines required by RSA 482-A.

-Send to Governor and Executive Council-

**2003-00070                      HAMPTON, TOWN OF**  
**HAMPTON   Hampton Harbor**

Requested Action:

Impact 400 square feet of tidal buffer zone for the installation of an oil/water separator catch basin and drain pipe with outlet into the existing tidal creek.

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Inspection Date: 04/17/2003 by Christina Altimari

APPROVE PERMIT:

Impact 400 square feet of tidal buffer zone for the installation of an oil/water separator catch basin and drain pipe with outlet into the existing tidal creek.

With Conditions:

1. All work shall be in accordance with plans by Hampton Public Works dated October 2002, as received by the Department on April 17, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Culvert outlet shall be properly rip-rapped using clean 6-12 inch stone.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
7. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter any bank, flat, wetlands, surface water, or undeveloped uplands.
2. Per Wt 302.01(a) and 302.04(a)(1), the need for the proposed impacts have been demonstrated, as the proposed project will provide relief to existitng flooding conditions at the end of Nudd Avenue.
3. Per Wt. 302.03 and Wt. 302.04(2), the above-listed project description represents a solution to the existing drainage problems, and is the alternative with the least adverse impact to areas and environments under the DES jurisdiction, as the project will provide significant improvements to the stormwater drainage outlet into the tidal salt marsh by separating oil and grit contaminants from the stormwater prior to discharge into the creek.
4. The NH Natural Heritage Inventory (NHNHI) has record of two natural communities of special concern within the project vicinity, Gulf of Maine Salt Marsh and Gulf of Maine Brackish Tidal Marsh.
5. DES field inspection on April 17, 2003 found that he vegetation impacted as a result of this project is not part of either salt marsh community of special concern, and currently exists along the side of Brown Avenue and through a developed residential property.
6. Public hearing for this project is waived based upon DES field inspections on April 17, 2003, which found that the above-listed project description will provide a solution to the existing drainage problem without causing any additional adverse impact to the project's abutters or the surrounding environment.

**2003-00236                      NH DEPT OF TRANSPORTATION**  
**ANDOVER   Sucker Brook**

Requested Action:

Construct taller headwalls, extend and raise the wing walls, and place concrete toe walls to provide a wider roadway impacting a total of 3,100 sq. ft. of brook and banks (1850 sq. ft. is temporary).

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APPROVE PERMIT:

Construct taller headwalls, extend and raise the wing walls, and place concrete toe walls to provide a wider roadway impacting a total of 3,100 sq. ft. of brook and banks (1850 sq. ft. is temporary). NHDOT project #99076R.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance signed 01/30/03, as received by the Department on February 10, 2003.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.

13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

14. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

15. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

16. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

17. Any work outside of the Right of Way shall be coordinated with the landowner prior to construction in those areas.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l), alteration of less than 200 linear feet of banks of a stream.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00277                      SHELTON, VALARIE & DIANE MORIN**  
**NEWMARKET    Lamprey River**

Requested Action:

Construct a 6 ft. x 30 ft. permanent pier, supported by 5 pilings, and 3 ft. x 30 ft. ramp leading to two (2) 6 ft. x 20 ft. floats, providing 3 slips on 650 feet of frontage along the Lamprey River in Newmarket.

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Inspection Date: 04/18/2003 by Christina Altimari

APPROVE PERMIT:

Construct a 6 ft. x 30 ft. permanent pier, supported by 5 pilings, and 3 ft. x 30 ft. ramp leading to two (2) 6 ft. x 20 ft. floats, providing 3 slips on 650 feet of frontage along the Lamprey River in Newmarket.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated February 3, 2003, as received by the Department on February 13, 2003.

2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.

3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.

5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.

6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.

7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.

8. Work shall be done during low tide.

9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspection on April 18, 2003 with the finding that the project impacts will not significantly impair the resources of this tidal river.
3. The NH Natural Heritage Inventory (NHNHI) has record of two state endangered plant species within the project vicinity, Mudwort (*Limosella australis*) and Large Salt Marsh Aster (*Aster tenuifolius*), and four state threatened plant species within the project vicinity, False Water Pimpernell (*Samolus parviflorus*), Eastern *Lilaeopsis* (*Lilaeopsis chinensis*), Stout Bulrush (*Scirpus robustus*), and Salt-Loving Spike-Rush (*Eleocharis halophila*). Also, NHNHI has record of one natural community of special concern within the project vicinity, a Gulf of Maine Fresh/Brackish Intertidal Flat Community.
4. DES field inspection on April 18, 2003 finds that none of the threatened species or the natural community of special concern will be impacted as a result of the project, as none of the above listed species or communities were visible on the property at the time of site inspection.
5. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
6. This dock is consistent with other tidal dock approvals in the seacoast region.

-Send to Governor and Executive Council-

**2003-00278                      DY-VOL LLC**  
**NEWMARKET    Lamprey River**

Requested Action:

Construct a 6 ft. x 40 ft. permanent pier, supported by 5 pilings, and 3 ft. x 30 ft. ramp leading to a 10 ft. x 20 ft. float, providing one slip on 220 feet of frontage along the Lamprey River in Newmarket.

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Inspection Date: 04/18/2003 by Christina Altimari

APPROVE PERMIT:

Construct a 6 ft. x 40 ft. permanent pier, supported by 5 pilings, and 3 ft. x 30 ft. ramp leading to a 10 ft. x 20 ft. float, providing one slip on 220 feet of frontage along the Lamprey River in Newmarket.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated February 3, 2003, as received by the Department on February 13, 2003.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. This permit shall not be effective until recorded at the Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the mud flat and shall have 3/4-inch spacing between the decking planks and the ramp shall have a minimum of 3 ft. clearance from the surface of the mud flat.
7. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. Public hearing is waived based on DES staff field inspections on April 18, 2003 with the finding that the project impacts will

not significantly impair the resources of this tidal river.

3. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.

4. This dock is consistent with other tidal dock approvals in the seacoast region.

-Send to Governor and Executive Council-

**2003-00345                      WRIGHT, JAMES**  
**SEABROOK   Seabrook Beach**

Requested Action:

Impact 3,065 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

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Inspection Date: 03/10/2003 by Christina Altimari

APPROVE PERMIT:

Impact 3,065 square feet within a sand dune jurisdiction area for the removal of an existing single-family residence, and the construction of a new single-family residence.

With Conditions:

1. All work shall be in accordance with plans by Millette, Sprague, and Colwell, Inc. dated February 19, 2002, as received by the Department on February 26, 2002.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
6. All areas other than the dwelling itself and the driveway areas shall remain naturally vegetated. There shall be no additional structures, equipment, sod, lawn, planting beds, mulching, stone, or additional landscaping of any nature on the remainder of the lot beyond the dwelling itself and the driveway area without further consultation with DES.

With Findings:

1. This property is a developed interior lot in Seabrook with little or no remaining dune function other than its position in the landscape.
2. This approval is consistent with other approvals in developed sand dune areas.
3. Based on findings #1 and #2, this project is deemed minimum impact per Wt. 303.04(o).
4. The NH Natural Heritage Inventory (NHNHI) has record of one state endangered plant species within the project vicinity, Sea-Chickweed (*Honckenya peploides*), three state threatened plant species within the project vicinity, Sand Drop-Seed (*Sporobolus cryptandrus*), Dwarf Glasswort (*Salicornia bigelovii*), and Perennial Glasswort (*Salicornia virginica*), and one state endangered vertebrate species within the project vicinity, Piping Plover (*Charadrius melodus*). NHNHI also has record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh.
5. NH Soil Consultants, Inc. conducted a site visit on February 5, 2003, concluding that there is no evidence that any of the listed species identified by the NHNHI database exist on the property.
6. The applicant has received a letter of concurrence from one of the two abutters where work is proposed within 20 feet of their property line.
7. The applicant has been unable to contact the remaining abutter, who owns the fully developed lot to the north of the project location.
8. DES field inspection on March 10, 2003 finds that the proposed impacts will not infringe upon the rights of the remaining abutter, and will not affect any existing or potential future uses of the northerly abutting property.

**2003-00625 SMITH, PETER**  
**DURHAM Oyster River**

Requested Action:

Fill 675 square feet of eroding shoreline with stone riprap for the stabilization of 225 linear feet along the Oyster River in Durham.

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APPROVE PERMIT:

Fill 675 square feet of eroding shoreline with stone riprap for the stabilization of 225 linear feet along the Oyster River in Durham.

With Conditions:

1. All work shall be in accordance with plans by Peter Smith (undated), as received by the Department on April 9, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
8. All riprap to be used for this project shall be clean, Class B riprap as defined in the New Hampshire Department of Transportation's Standard Specifications for Road and Bridge Construction.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in tidal waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01(a) and 302.04(a)(1).
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03 and 302.04(a)(2).
4. Stabilization with riprap rather than with vegetation is the preferred method for this project because this site has proven to be incapable of holding soil, and there is insufficient space to regrade the existing river bank.
5. Public hearing is waived based on DES staff field inspection on April 18, 2003, with the finding that the project impacts will not significantly impair the resources of this tidal river.
6. The Pease Development Authority - Division of Ports and Harbors has reviewed the plans and determined that the proposed dock does not impede navigation.
7. The NH Natural Heritage Inventory (NHNHI) has record of one natural community of special concern within the project vicinity, a Gulf of Maine Salt Marsh Community.
8. DES field inspection on April 18, 2003 finds that the Gulf of Maine Salt Marsh Community will not be impacted as a result of the project, as the property is fully developed and landscaped, with no native salt marsh vegetation visible at the time of inspection.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2001-02353 MCNICHOL, ROBERT & BERNADETTE**  
**BOW Unnamed Wetland**

Requested Action:



Approve name change to: Muriel & Craig Dubois, 18 Wentworth Dr., Bedford NH 03110

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Conservation Commission/Staff Comments:

The conservation commission has not commented on this project.

APPROVE NAME CHANGE:

Fill 5582 sq ft of forested wetland and place three culverts (34 ft x 24 inch 32 ft x 24 inch, and 34.5 ft x 15 inch) for driveway access to the upland portion of a single family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental dated November 26, 2001, as received by the Department on December 6, 2001.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Work shall be done during low flow.
9. There shall be no impacts to wetlands or other jurisdictional areas within 20 feet of any abutting property line.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2002-00261                      DUFRESNE, JAMES**  
**KINGSTON   Tributary To Little River**

Requested Action:

Request for permit amendment to fill 2,595 square feet of forested wetlands, a perennial and a seasonal stream for construction of an 18-hole golf course. Retain approximately 813 square feet of previously unauthorized fill in emergent and scrub-shrub wetlands for construction/maintenance roadway access, and restore approximately 8,357 square feet of forested wetlands.

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Conservation Commission/Staff Comments:

No comments received from the Kingston or Newton Conservation Commissions.

Inspection Date: 12/27/2001 by Christian P Williams

APPROVE AMENDMENT:

Fill 2,595 square feet of forested wetlands, a perennial and a seasonal stream for construction of an 18-hole golf course. Retain approximately 813 square feet of previously unauthorized fill in emergent and scrub-shrub wetlands for construction/maintenance roadway access, and restore approximately 8,357 square feet of forested wetlands.

With Conditions:

1. All work shall be in accordance with the Wetlands Plans (Sheets 3,4,& 5 of 17) dated August 31, 2001, the Golf Course Hole Plans (Sheets 9 & 10 of 17) dated September 14, 2001 and revised November 30, 2001, the Golf Course Hole Plans (Sheets 11-15 of 17) dated September 14, 2001 and revised January 10, 2002, and the Construction Details (Sheets 16 & 17 of 17) dated September 14, 2001, by Steven E. Cummings, P.E., as received by the

Department of February 11, 2002; and the 8.5-inch x 11-inch Wetlands Plans (Sheets 3-5, 7 & 8 of 12) by Steven E. Cummings, P.E. dated June 14, 2002 and revised March 12, 2003, as received by the Department on March 27, 2003, depicting revised golf cart bridge locations and associated jurisdictional impacts, which supercede those golf cart bridge locations and associated jurisdictional impacts depicted in the above-referenced Wetlands Plans (Sheets 3,4,& 5 of 17) and Golf Course Hole Plans (Sheets 9-15 of 17).

2. This permit is contingent upon issuance of a Large Groundwater Withdrawal Permit from the DES Water Supply Engineering Bureau should one be required.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Wetlands Bureau.
4. No machinery shall enter the water.
5. No machinery shall enter wetlands during construction of golf cart bridges.
6. Work shall be conducted during low flow.
7. The guidelines presented in the Integrated Golf Course Management Plan prepared by Michael O'Connor of GreenSpace/Environmental & Turf Services dated February 4, 2002, as received by the Department on February 11, 2002, shall be adhered to.
8. Golf cart bridges constructed over wetlands shall be elevated at least 3 feet above the wetland surface so that no area under the bridge shall be completely shaded from the sun.
9. The decking of all golf cart bridges constructed over wetlands shall be of slatted construction to allow for circulation of air and water, and allow for penetration of light.
10. Future cutting or pruning of trees and shrubs in wetlands to maintain or improve fairway site distance shall be conducted by hand or by machinery working from golf cart bridges where practical. In wetlands where cutting or pruning of trees and shrubs by hand or by machinery working from golf cart bridges is not practicable, work shall be conducted during frozen conditions to prevent rutting in the wetlands.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Wetland restoration:

19. This permit is contingent upon restoration of 8,357 square feet of wetlands identified as Crossings #1-4 (C1-C4) and Area 8B on the Wetlands Plan (Sheets 3 & 4 of 17) by Steven E. Cummings, P.E., dated August 31, 2001, as received by the Department of February 11, 2002.
20. Wetland restoration activities at Crossings C1, C4 and Area 8B shall include the removal of slash and application of wetland seed mix on all exposed soils.
21. Restoration activities at Crossings C2 and C3 shall include installation of suitable erosion and siltation controls, removal of pre-existing fill, regrading to original topography and application of wetland seed mix on all exposed soils.
22. Restoration activities at Crossing C1 and Area 8B shall occur concurrent with site construction.
23. As Crossings C2, C3 & C4 shall be utilized for temporary access during construction, these crossings shall be restored immediately following completion of construction activities.
24. All material removed from the restoration areas shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
25. Within 30 days after the completion of site construction, the applicant shall submit a report to the DES Wetlands Bureau documenting the completion of wetland restoration activities. The report shall include a brief narrative describing the restoration process at each restoration area and shall include dated color photographs of each restoration area taken prior to and immediately

following completion of restoration activities.

26. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to restore the wetlands to their pre-existing condition. Remedial measures may include changing the elevation of the wetland surface, reseeding and removal of invasive species.

27. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the wetland restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted to the DES Wetlands Bureau by December 1 of that year.

With Findings:

1. The proposed permit amendment will result in 54 square feet of additional wetlands impacts. Amended project activities include construction of two piling-supported golf cart bridges impacting 72 square feet of forested wetlands, modification of the design of four golf cart bridges from piling-supported structures to free-spanning structures resulting in an 18 square-foot reduction in wetlands impacts, and construction of three free-span golf cart bridges resulting in no additional wetlands impacts.
2. Proposed project activities are necessary to improve the safety of the golf course.

**2002-00339                      MANSEAU, JEFFREY**  
**CANDIA   Unnamed Wetland**

Requested Action:

Permittee requests amendment to add a 60-foot wide right of way to approved plans, perpendicular to Manseau Lane (at approximately station 4+00), "... for the purpose of leaving a corridor for a "future" connector road between Manseau Lane and South Road should Lot 72 (Goudreault) ever be developed."

\*\*\*\*\*

DENY AMENDMENT:

Deny request for an amendment to add a 60-foot wide right of way to approved plans, perpendicular to Manseau Lane (at approximately station 4+00), "... for the purpose of leaving a corridor for a "future" connector road between Manseau Lane and South Road should Lot 72 (Goudreault) ever be developed."

With Findings:

1. The request for an amendment to add a 60-foot wide right of way to approved plans, perpendicular to Manseau Lane (at approximately station 4+00), "... for the purpose of leaving a corridor for a "future" connector road between Manseau Lane and South Road should Lot 72 (Goudreault) ever be developed" is denied with the finding that, based on the plans approved, additional wetlands impacts would be incurred on both the Manseau lot as well as the abutting lot no. 72 which have not been addressed per NH DES Administrative Rule Wt 501.02(a)&(b).
2. No relief from project specific condition no. 4 stating "There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback" is granted as the requested amendment fails to address the criteria set forth in NH DES Administrative Rule Wt 302.03 and Wt 302.04(a)(1).
3. The DES Wetlands Bureau may reconsider this amendment request concurrent with the receipt of a new application for work in wetlands jurisdiction proposed for the abutting lot no. 72 and the approval of this amendment would be contingent on the approval of the extension of the "future" connector road on lot no. 72.

**2002-00944                      MONTEIRO/MEADER, MICHAEL/DAVID**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Amend permit to correctly read: Walkway dimensions of 6 ft by 24 ft, and install 6 tie off piles.

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Conservation Commission/Staff Comments:

Con Com does not object if frontage requirements are met.

Inspection Date: 11/05/2002 by Dale R Keirstead

**APPROVE AMENDMENT:**

Amend permit to read; Permanently remove an existing seasonal docking structure, construct two 6 ft by 30 ft piling supported piers connected by a 6 ft by 24 ft walkway over the bank, install 6 tie off piles, install three seasonal boatlifts in the slips, and construct three 14 ft by 30 ft seasonal canopies over the slips on 158 ft of average frontage on Lake Winnepesaukee, Laconia.

**With Conditions:**

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 24, 2002, revised November 7, 2002, as received by the Department on November 12, 2002.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
5. Construction debris shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The existing structure shall be completely removed prior to the construction of the new structure.
8. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
9. Installation of the wharf shall not require modification, regarding, recontouring, of the shoreline. Installation shall use the previously impacted area.
10. The minimum clear spacing between pile bents shall be 12 feet.
11. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
12. Seasonal boatlifts shall be removed from the lake for the non-boating season.
13. Canopies shall be of flexible fabric and shall be removed for the non-boating season.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

**With Findings:**

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on November 5, 2002. Field inspection determined the wharf shall use an existing impacted area. No new impacts to the bank.

**2002-01021                      NASH, ANN**  
**CONCORD   Unnamed Wetland**

**Requested Action:**

Approve name change to: Cherry Hill Homes Inc., 559 Pembroke St., Pembroke NH 03275 per request received 4/23/03

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**Conservation Commission/Staff Comments:**

In a letter to the DES Wetlands Bureau dated July 11, 2002, the Concord Conservation Commission stated that it does not object to the proposed application.

**APPROVE NAME CHANGE:**

Fill approximately 12,921 square feet of forested wetlands to construct a roadway to provide access to a 23-lot residential cluster

subdivision. Dredge and fill approximately 555 square feet of forested wetlands to construct a pedestrian hiking/biking trail.

With Conditions:

1. All work shall be in accordance with Subdivision Plans (Sheets 1-14 of 29), Grading, Utility and Drainage Plans (Sheets 18-20 of 29) and Construction Details (Sheets 27-28 of 29) by Burd Engineering dated March 15, 2002 and revised August 26, 2002, as received by the Department on August 27, 2002.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be conducted during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets to reduce flow velocities and prevent scour and erosion.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
18. This permit is contingent upon the establishment of 49.8 acres of Common Open Space to serve as compensatory mitigation for project-related wetlands impacts, as depicted on the Subdivision Plans by Burd Engineering dated March 15, 2002 and revised August 26, 2002, as received by the Department on August 27, 2002.
19. The Open Space and Perimeter Buffer Restrictions described in the "Declaration of Covenants and Restrictions for Walker's Reserve - A Cluster Development", as received by the Department on August 27, 2002, shall be referenced in the deed which accompanies the sales transaction for each of lots in this subdivision.
20. The plans noting the 49.8 acres of Common Open Space land and a final copy of the "Declaration of Covenants and Restrictions for Walker's Reserve - A Cluster Development" shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau.
21. The Open Space and Perimeter Buffer Restrictions on the 49.8 acres of Common Open Space shall run with the land, and both existing and future property owners shall be subject to said restrictions.
22. The boundaries of the 49.8 acres of Common Open Space land shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
23. Signs to indicate the location of and restrictions on the 49.8 acres of Common Open Space land shall be posted every 150 feet along the Open Space boundary prior to construction.
24. Activities in contravention of the Open Space and Perimeter Buffer Restrictions described in the "Declaration of Covenants and Restrictions for Walker's Reserve - A Cluster Development", as received by the Department on August 27, 2002, shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

**2002-02459                      METCALF, PAUL & JILL**  
**PITTSFIELD   Unnamed Wetland**

Requested Action:

Dredge and fill 2440 sq ft along 50 linear ft of perennial stream to place a 4 ft x 33 ft culvert and associated rip rap for access to a proposed gravel pit expansion.

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Conservation Commission/Staff Comments:

Conservation Commission did not comment on this project.

Inspection Date: 01/09/2003 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill 2440 sq ft along 50 linear ft of perennial stream to place a 4 ft x 33 ft culvert and associated rip rap for access to a proposed gravel pit expansion.

With Conditions:

1. All work shall be in accordance with plans by Brown Engineering dated September 27, 2002, and revised through April 8, 2003, as received by the Department on April 15, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. This permit is contingent on approval by the DES Site Specific Program.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlet shall be properly rip rapped.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 9, 2003. Field inspection determined no work had begun and the wetlands were accurately illustrated on the plans.

**2002-02475                      ARLINGTON DEVELOPMENT GROUP**  
**ROCHESTER   Unnamed Wetland**

**Requested Action:**

Request for permit amendment to fill approximately 11,520 square feet of forested and scrub-shrub wetlands to construct a roadway to provide access to a 31-lot residential subdivision on 97.06 acres. Fill approximately 165 square feet of forested and scrub-shrub wetlands to construct a driveway to access Lot 23 of the 31-lot subdivision, and fill approximately 1,055 square feet of forested wetlands to widen the road shoulder of NH Route 202A (Walnut Street). Preserve as open space a total of 37.96 acres on site, including 16.5 acres of wetlands and 21.4 acres of contiguous upland buffer.

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**Conservation Commission/Staff Comments:**

In a letter to the DES Wetlands Bureau dated November 23, 2002, the Rochester Conservation Commission recommended approval of the application with the following conditions: 1. Development of a mitigation plan to compensate for proposed wetlands impacts; and 2. Verification of the presence and location of vernal pools on-site, and protection of the vernal pools and their buffers via conservation easement.

**APPROVE AMENDMENT:**

Fill approximately 11,520 square feet of forested and scrub-shrub wetlands to construct a roadway to provide access to a 31-lot residential subdivision on 97.06 acres. Fill approximately 165 square feet of forested and scrub-shrub wetlands to construct a driveway to access Lot 23 of the 31-lot subdivision, and fill approximately 1,055 square feet of forested wetlands to widen the road shoulder of NH Route 202A (Walnut Street). Preserve as open space a total of 37.96 acres on site, including 16.5 acres of wetlands and 21.4 acres of contiguous upland buffer.

**With Conditions:**

1. All work shall be in accordance with the following plans by Norway Plains Associates, Inc.:
  - a. The Overall Wetlands Plan and the Detailed Wetland Crossings Plan dated November 2002 and last revised April 18, 2003, as received by the Department on April 23, 2003;
  - b. The Overall Subdivision Plan (Sheet 2) and the Drainage, Erosion and Sedimentation Control Details (Sheet 13) dated August 2002, as received by the Department on February 12, 2003; and
  - c. The Road Plan and Profiles (Sheets 6-8) and the Grading, Erosion, and Sedimentation Control Plan (Sheet 10) dated August 2002 and revised January 17, 2003, as received by the Department on February 12, 2003.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. Work shall be conducted during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
16. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

17. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Open Space Preservation:

18. This permit is contingent upon the preservation as open space of 37.96 acres, including 16.5 acres of wetlands and 21.4 acres of contiguous upland buffer, as depicted on the Overall Subdivision Plan by Norway Plains Associates, Inc. dated August 2002, as received by the Department on February 12, 2003.

19. The use limitations and restrictions to be placed on the open space areas, as referenced in Note #5 of the Overall Subdivision Plan by Norway Plains Associates, Inc. dated August 2002, as received by the Department on February 12, 2003, shall be written to run with the land, and both existing and future property owners shall be subject to these restrictions.

20. The plan noting the open space areas and the use limitations and restrictions shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to construction.

21. The deed which accompanies the sales transaction for each lot in this subdivision which abuts an open space area shall contain a description of the open space area including location and use limitations and restrictions.

22. The open space areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

23. Signs to indicate the location of and the use limitations and restrictions on the open space areas shall be posted every 150 feet along the boundaries of the open space areas that abut the subdivision roadway.

24. Activities in contravention of the open space use limitations and restrictions shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services.

With Findings:

1. The proposed permit amendment will result in a net reduction in wetlands impacts of approximately 245 square feet. While wetlands impacts associated with widening the shoulder of NH Route 202A will increase by approximately 585 square feet, wetlands impacts associated with construction of the subdivision roadway will decrease by approximately 830 square feet.

2. Proposed amended project activities are necessary to obtain a minimum 100-foot separation between an abutting driveway and the proposed subdivision roadway, as required by the NH Department of Transportation.

**2003-00240                      NH DEPT OF TRANSPORTATION**  
**MONROE   Smith Brook**

**2003-00297                      PAUL, PETER**  
**TILTON   Unnamed Stream**

Requested Action:

Place two 18-inch diameter by 30 ft culverts in a perennial stream for access to an upland for equipment storage and septic system construction.

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Conservation Commission/Staff Comments:

The Tilton conservation commission submitted a letter reporting violations on the site 3/31/03.

APPROVE PERMIT:

Place two 18-inch diameter by 30 ft culverts in a perennial stream for access to an upland for equipment storage and septic system construction.

With Conditions:

1. All work shall be in accordance with plans by Lepene Engineering and Surveying dated February 5, 2003, as received by the Department on February 14, 2003.



2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(c) Projects that involve dredge, fill, or construction of a permanent structure in a stream or marsh.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on April 11, 2003. Field inspection determined the placement of the culverts is reasonable.
6. The applicant has provided a letter from the NH Dept of Transportation stating only one driveway will be permitted to access the site.

**2003-00370                      LEDGES GOLF LINK INC**  
**LOUDON   Unnamed Wetland**

Requested Action:

Dredge and fill 1800 sq ft of wetlands in three locations for drainage and safety improvements to the existing golf course.

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Conservation Commission/Staff Comments:

The conservation commission recommends approval of this project.

APPROVE PERMIT:

Dredge and fill 1800 sq ft of wetlands in three locations for drainage and safety improvements to the existing golf course.

With Conditions:

1. All work shall be in accordance with plans by Eastern Topographics and specifics by Oak Hill Environmental, as received by the Department on April 11, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Proper headwalls shall be constructed within seven days of culvert installation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

6. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per RSA 482A-11(V) Notwithstanding any rules adopted by the commissioner defining minor projects, a series of minor projects undertaken by a single developer or several developers over a period of 5 years or less may, when considered in the aggregate, amount to a major project in the opinion of the department; A series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. This application is to improve safety for an existing golf course.

**2003-00461                      FOREST PINES LLC, C/O AUSTIN EATON**  
**NEW LONDON   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 3,800 square feet of palustrine forested wetlands and install a 30" x 45' culvert to provide access to 6 lots (phase 3) of a 22-lot subdivision

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Conservation Commission/Staff Comments:

Conservation Commission did not submit comments related to this project.

Inspection Date: 03/26/2003 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 3,800 square feet of palustrine forested wetlands and install a 30" x 45' culvert to provide access to 6 lots (phase 3) of a 22-lot subdivision

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated April 11, 2003, as received by the Department on April 16, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be properly rip rapped.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq ft of nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 26, 2003. Field inspection determined the project is not adjacent to prime wetlands. The hydrologic connection is to Little Sunapee, and will not impact the prime wetland located across Route 11.

**2003-00638                      LONDONDERRY, TOWN OF**  
**LONDONDERRY   Watts Brook**

Requested Action:

Dredge and fill a total of 7,200 sq. ft. of palustrine forested/ scrub-shrub wetlands, including a perennial stream, of which 3,100 sq. ft. are temporary impacts, for work associated with the upgrading of Litchfield Road including the replacement of the existing 72 in. culvert with twin 72 in. culverts, headwalls and rip-rap scour protection.

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Conservation Commission/Staff Comments:

Londonderry Conservation Commission recommends approval of the application.

APPROVE PERMIT:

Dredge and fill a total of 7,200 sq. ft. of palustrine forested/ scrub-shrub wetlands, including a perennial stream, of which 3,100 sq. ft. are temporary impacts, for work associated with the upgrading of Litchfield Road including the replacement of the existing 72 in. culvert with twin 72 in. culverts, headwalls and rip-rap scour protection.

With Conditions:

1. All work shall be in accordance with plans by Vollmer Associates LLP dated 04/11/2003, as received by the Department on April 10, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Temporary wetland impact area(s) shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(l).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

## MINIMUM IMPACT PROJECT

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**2002-01022                      OSSIPPEE BLUFFS ASSOCIATION**  
**OSSIPEE   Ossipee Lake**

### Requested Action:

Maintenance dredge approximately 4,900 square feet within existing boat basin on an average of 356 feet of frontage on Ossipee Lake, Ossipee

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### APPROVE PERMIT:

Maintenance dredge approximately 4,900 square feet within existing boat basin on an average of 356 feet of frontage on Ossipee Lake, Ossipee

### With Conditions:

1. All work shall be in accordance with plans by R.W. Gillespie and Associates, Inc. dated March, 2003, as received by the Department on April 23, 2003.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

### With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(k), maintenance dredge to provide usefulness within original bounds.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00220                      HOWARD, GEORGE**  
**JACKSON   Wildcat River**

### Requested Action:

Dredge and fill 740 square feet within three (3) unnamed intermittent drainages and install a 15" x 20' culvert and a 20" x 20' culvert to construct a driveway for a single-family residence.

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**APPROVE PERMIT:**

Dredge and fill 740 square feet within three (3) unnamed intermittent drainages and install a 15" x 20' culvert and a 20" x 20' culvert to construct a driveway for a single-family residence.

**With Conditions:**

1. All work shall be in accordance with revised plans (Diagram 2) by George Howard dated 4/9/03, as received by the Department on 4/14/03.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
5. Work shall be done during periods of low flow or dry conditions.
6. Proper headwalls shall be constructed over the culvert ends within seven days of culvert installation.
7. Stone aprons shall be installed at culvert outlets to prevent scouring and erosion.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

**With Findings:**

1. This project is considered a Minimum Impact Project per NH Administrative Rule Wt 303.04(z).

**2003-00416                      HIGGINS, JENNIFER & JEFFREY PITRE**  
**NOTTINGHAM   Unnamed Wetland**

**Requested Action:**

Dredge and fill approximately 2,420 square feet of palustrine foreted wetlands and install two 15-inch x 20-foot culverts and a 15-inch x 25-foot culvert to construct a common driveway to provide access to a 2-lot residential subdivision on approximately 11.81 acres.

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**Conservation Commission/Staff Comments:**

No written comments received from the Nottingham Conservation Commission.

Original application changed from Minimum Impact Expedited Application to Standard Dredge and Fill Application, per request of applicant's authorized agent.

**APPROVE AMENDMENT:**

Dredge and fill approximately 2,420 square feet of palustrine foreted wetlands and install two 15-inch x 20-foot culverts and a 15-inch x 25-foot culvert to construct a common driveway to provide access to a 2-lot residential subdivision on approximately 11.81 acres.

**With Conditions:**

1. All work shall be in accordance with the "Topography & Soils" Subdivision Plan by Landry Surveying, LLC dated December 2002, as received by the Department on March 7, 2003.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be conducted during low flow conditions.
6. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
7. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
8. Stone aprons shall be installed at culvert outlets where appropriate to dissipate flow velocities and prevent scour and erosion.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This application called for the installation of three culverts to gain access to a 2-lot residential subdivision and, as such, did not require condition #4 listed on the original permit (i.e., registration of the permit with the Rockingham County Registry of Deeds, pursuant to NH Code Admin. Rule Wt 304.09(d)); therefore, the permit was amended and reissued with condition #4 removed.

**2003-00428                      JEWELL, GLENN**  
**NOTTINGHAM   Unnamed Wetland**

Requested Action:

Fill 1,725 square feet of forested wetlands and install a 15-inch x 20-foot culvert and a 24-inch x 20-foot culvert to construct two driveways to provide access to two lots (Lots 4 & 5) of a three lot residential subdivision on approximately 13.25 acres.

\*\*\*\*\*

Conservation Commission/Staff Comments:

No comments received from the Nottingham Conservation Commission.

APPROVE AMENDMENT:

Fill 1,725 square feet of forested wetlands and install a 15-inch x 20-foot culvert and a 24-inch x 20-foot culvert to construct two driveways to provide access to two lots (Lots 4 & 5) of a three lot residential subdivision on approximately 13.25 acres.

With Conditions:

1. All work shall be in accordance with the "Topography & Soils Subdivision Plat of Land for Glenn A. Jewell, Nottingham, NH" by Landry Surveying, LLC dated February 2003, as received by the Department on March 7, 2003; and the Crossing Sketch Plans by Landry Surveying, LLC dated February 14, 2003, as received by the Department on March 7, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Proper headwalls shall be constructed within seven days of culvert installation.

8. Culvert outlets shall be properly rip rapped where appropriate.
9. Work shall be done during low flow.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This application called for the installation of two culverts to gain access to 2 lots of a 3-lot residential subdivision and, as such, did not require condition #5 listed on the original permit (i.e., registration of the permit with the Rockingham County Registry of Deeds, pursuant to NH Code Admin. Rule Wt 304.09(d)); therefore, the permit was amended and reissued with condition #5 removed.

**2003-00478**

**ROLLINSFORD, TOWN OF**

**ROLLINSFORD Unnamed Wetland**

Requested Action:

Fill 1,042 square feet of wetlands for the construction of two (2) driveway crossings for access to buildable uplands for the construction of a bus fleet maintenance building and associated bus storage garage and parking areas.

\*\*\*\*\*

APPROVE PERMIT:

Fill 1,042 square feet of wetlands for the construction of two (2) driveway crossings for access to buildable uplands for the construction of a bus fleet maintenance building and associated bus storage garage and parking areas.

With Conditions:

1. All work shall be in accordance with plans by Civilworks, Inc. dated February 14, 2003, as received by the Department on March 18, 2003.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
4. No fill shall be done for lot development.
5. Orange construction fencing shall be placed at the limits of construction, and adjacent to all wetlands surrounding the work site to prevent accidental encroachment on wetlands.
6. Appropriate siltation and erosion controls shall be in place adjacent to all wetlands surrounding the work site prior to construction, shall be maintained during construction, and remain until the area is stabilized.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(f).
2. The location of the access driveway is through the narrowest area of the wetlands.
3. The applicant has adequately demonstrated that the proposal must cross wetlands at some locations on this property to access buildable uplands and has thereby demonstrated need as required by Wt 302.01(b).
4. The applicant has adequately demonstrated avoidance and minimization as required by Wt 302.03 by limiting the wetlands impact to the only crossing necessary to access uplands for construction.

## FORESTRY NOTIFICATION

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**2003-00675                      PERRY STREAM LAND & TIMBER CO.**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map C3,C5,D4,D5,D6, Lot# 53

**2003-00676                      WARICK MANAGEMENT CO INC**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map C4, Lot# 286

## EXPEDITED MINIMUM

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**2002-02067                      THE NANCY E ELLIS TRUST**  
**TUFTONBORO   Lake Winnepesaukee**

### Requested Action:

Repair an existing "W" shaped docking structure consisting of the following: a 6'x 38' dock (supported by a 6'x 23'6" crib) with a 12'x 6' attached section (supported by a 12'x 6' crib); a 6'x 42' dock (supported by a 6'x 18'6" crib and a 6'x 10' crib) attached to the most southerly dock by a 9'x 3" x 11'7" walkway (slip area has a permanently constructed roof); and a 6'x 29' pier (supported by a 6'x 18'6" crib) connected to the rest of the structure by a 9'x 6' walkway on 150' of frontage.

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### APPROVE PERMIT:

Repair an existing "W" shaped docking structure consisting of the following: a 6'x 38' dock (supported by a 6'x 23'6" crib) with a 12'x 6' attached section (supported by a 12'x 6' crib); a 6'x 42' dock (supported by a 6'x 18'6" crib and a 6'x 10' crib) attached to the most southerly dock by a 9'x 3" x 11'7" walkway (slip area has a permanently constructed roof); and a 6'x 29' pier (supported by a 6'x 18'6" crib) connected to the rest of the structure by a 9'x 6' walkway on 150' of frontage.

### With Conditions:

1. All work shall be in accordance with plans by the applicant as received by the Department on April 17, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. This permit does not allow for maintenance dredging.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall



remain until the area is stabilized.

8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2002-02541 WEARE, TOWN OF**  
**WEARE Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1,500 square feet of palustrine emergent wetlands to reconstruct approximately 400 linear feet of Colby road and extend existing 18" x 40' culvert 10'

\*\*\*\*\*

Inspection Date: 12/24/2002 by Jeffrey D Blecharczyk

APPROVE PERMIT:

Dredge and fill approximately 1,500 square feet of palustrine emergent wetlands to reconstruct approximately 400 linear feet of Colby road and extend existing 18" x 40' culvert 10'

With Conditions:

1. All work shall be in accordance with plans by Arthur Siciliano dated March 2003, as received by the Department on April 16, 2003 and in accordance with phone conversation on April 25, 2003, with Carl Knapp and DES staff.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. No work to existing 18" culvert located at roadway station 34+35.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq ft of jurisdictional wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES staff conducted a site inspection on December 24, 2002. This project will not have a negative impact on jurisdictional areas.
6. Project will benefit the public through increased safety.

**2003-00450 MCCARTHY, HELEN**  
**LACONIA Lake Winnepesaukee**

Requested Action:

Repair in kind 75 linear ft of existing retaining wall, and repair in kind existing 9 ft x 32 ft crib supporting dock attached to a 8 ft x 9 ft seasonal pier, and replenish existing 10 ft x 55 ft perched beach with 10 cu yds of sand on an average of 360 ft of frontage on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Extremely questionable locus . USGS map is at a reduced scale and there is no useable tax map in the file. Con. Com. suggested work to be done at low water.

APPROVE PERMIT:

Repair in kind 75 linear ft of existing retaining wall, and repair in kind existing 9 ft x 32 ft crib supporting dock attached to a 8 ft x 9 ft seasonal pier, and replenish existing 10 ft x 55 ft perched beach with 10 cu yds of sand on an average of 360 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 23, 2003, as received by the Department on April 24, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
11. Seasonal piers shall be removed for the non-boating season.
12. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
13. This permit shall be used only once, and does not allow for annual beach replenishment.
14. The applicant shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
15. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
16. Work shall be done during drawdown.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

Requested Action:

Replace and repair in kind, existing 8 ft x 9 ft crib supporting a 8 ft x 10 ft 6 in dock connected to a 6 ft x 15 ft pier attached to a 8 ft x 9 ft concrete pier, connected to a 6 ft x 32 ft 3 in pier attached to the shoreline in a dogleg configuration on an average of 85 ft of frontage on Chandler Cove, Lake Sunapee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con. Com. Signed application.

APPROVE PERMIT:

Replace and repair in kind, existing 8 ft x 9 ft crib supporting a 8 ft x 10 ft 6 in dock connected to a 6 ft x 15 ft pier attached to a 8 ft x 9 ft concrete pier, connected to a 6 ft x 32 ft 3 in pier attached to the shoreline in a dogleg configuration on an average of 85 ft of frontage on Chandler Cove, Lake Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated October 28, 2002, as received by the Department on March 20, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-00508                      BLAIS, GREGORY**  
**NEW IPSWICH   Unnamed Stream**

Requested Action:

Dredge and fill 200 square feet within an intermittent streambed to replace an existing 10 foot x 8 foot log bridge with 16 feet of 24 inch diameter culvert and associated fill to upgrade a crossing located within the town owned right-of-way of Rumrill Road.

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Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application, without further comments.

**APPROVE PERMIT:**

Dredge and fill 200 square feet within an intermittent streambed to replace an existing 10 foot x 8 foot log bridge with 16 feet of 24 inch diameter culvert and associated fill to upgrade a crossing located within the town owned right-of-way of Rumrill Road.

**With Conditions:**

1. All work shall be in accordance with plans by Gregory W. Blais dated November 20, 2002, as received by the Department on March 24, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
5. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Wt 303.04(z), installation of a culvert and associated fill for vehicular access to a single family building lot.
2. A copy of a letter from the Town of New Ipswich authorizing the wetland impacts within the town owned right-of-way proposed by this project was submitted to DES with the application.
3. Signed consent forms, authorizing the wetland impacts proposed by this project, were submitted to DES from all abutters located within 20 feet of the project area.

**2003-00553                      ISLAND MARINE ASSOCIATION, C/O RUSSELL SCOTT  
ALTON BAY   Lake Winnepesaukee**

**Requested Action:**

Replace 5 pilings as per plan for Island Marine Association on an average of 1,497 ft of frontage on Minge Cove, Lake Winnepesaukee.

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**Conservation Commission/Staff Comments:**

Con. Com. signed

**APPROVE PERMIT:**

Replace 5 pilings as per plan for Island Marine Association on an average of 1,497 ft of frontage on Minge Cove, Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 26, 2003, as received by the Department on April 1, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Removed pilings shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-00574                      POIRE, ROGER**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Repair in kind an existing 6 ft x 40 ft seasonal dock, and install a 11 ft x 14 ft seasonal boat lift on an average of 109 ft of frontage on Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application.

APPROVE PERMIT:

Repair in kind an existing 6 ft x 40 ft seasonal dock, and install a 11 ft x 14 ft seasonal boat lift on an average of 109 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 31, 2003, as received by the Department on April 4, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.

10. Seasonal piers shall be removed for the non-boating season.

11. Seasonal boat lifts shall be removed for the non-boating season.

12. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

**2003-00600                      COSTAS, NICK**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Permanently remove existing 4 ft x 24 ft seasonal pier connected to a 8 ft x 12 ft seasonal deck, and install a 6 ft x 35 ft hinged seasonal dock on an average of 100 ft of frontage on Salmon Meadow Cove, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Permanently remove existing 4 ft x 24 ft seasonal pier connected to a 8 ft x 12 ft seasonal deck, and install a 6 ft x 35 ft hinged seasonal dock on an average of 100 ft of frontage on Salmon Meadow Cove, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Docks Unlimited dated April 23, 2003, as received by the Department on April 23, 2003.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Seasonal piers shall be removed for the non-boating season.
9. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(a), construction of a seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2003-00608**

**DALY, DEMETRA & HAYDEN**

**MEREDITH Lake Winnepesaukee**

Requested Action:

Repair in kind two existing 4 ft x 28 ft 6 in piling piers attached to a 8 ft x 25 ft 8 in concrete wharf on an average of 100 ft of frontage on Meredith Bay, Lake Winnepesaukee.

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Conservation Commission/Staff Comments:

Con. Com. signed application

APPROVE PERMIT:

Repair in kind two existing 4 ft x 28 ft 6 in piling piers attached to a 8 ft x 25 ft 8 in concrete wharf on an average of 100 ft of frontage on Meredith Bay, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated March 18, 2003, as received by the Department on April 8, 2003.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.

## GOLD DREDGE

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**2003-00704                      HARRIS, NANCY**  
**(ALL TOWNS)   Unnamed Stream**

**2003-00705                      MARTIN, LAURENCE**  
**(ALL TOWNS)   Unnamed Stream**

## SEASONAL DOCK NOTIFICATIO

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**2003-00689                      AUCOIN, STEVEN & SANDRA**  
**BELMONT   Silver Lake**

COMPLETE NOTIFICATION:  
Belmont Tax Map 15, Lot# 7

**2003-00690                      PAZZANI, JOHN**  
**MOULTONBOROUGH   Wakonda Pond**

APPROVE AFTER THE FACT:  
Moultonboro Tax Map 50 Lot# 9A

**2003-00702                      BACICH, DONALD**  
**EATON   Hatch Pond**

COMPLETE NOTIFICATION:  
Eaton Tax Map R4, Lot 10B Hatch Pond

**2003-00722                      ZEWSKI, ROBERT/EILEEN**  
**MOULTONBOROUGH   Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Moultonboro Tax Map 38, Lot# 61 Lake Winnepesaukee



**2003-00723**

**INNIS, JEFFREY P.**

**MOULTONBOROUGH Lake Winnepesaukee**

COMPLETE NOTIFICATION:

Moultonboro Tax Map 1, Lot#4 Lake Winnepesaukee